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Peter Brune

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THE MAXHAM FIRM

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EXAMINER

KARIKARI, KWASI

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2617

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/980,042	<b>Applicant(s)</b> BRUNE ET AL.	
	<b>Examiner</b> KWASI KARIKARI	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 and 32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 and 32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### **Response to Arguments**

1. Applicant's arguments filed on 12/10/2009, with respect to the rejection(s) of claim(s) 1-29 and 32 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made as shown below.

### **Drawings**

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because Figures 1-4 are not clearly labeled. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

### **Claim Rejections - 35 USC § 112**

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-29 and 32 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for the claimed limitations such as "filtering out, filter point and filter message"; and "information elements are not relayed transparently at interfaces", does not reasonably provide enablement for what element is being

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filtering out and how such element is being filtering out at the filter points; and how information elements are not relayed transparently at interfaces. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make make/use the invention commensurate in scope with these claims.

For complete examination purposes, the Examiner will broadly address all of the above rejected claims in light of the overall concept of Applicant's invention.

Appropriate corrections are therefore required.

#### Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant recites the claimed limitations, "...the information flows..."; "...the standardized signaling protocols..."; "...the respective information elements..."; and "...the signaling..." in claim 1, however, there are insufficient prior antecedent basis for these limitations in the claims.

Applicant specification also fails to present clear antecedent basis for these limitations, thus, making the claims indefinite and hampering one of ordinary skill in the art to clearly interpret the Applicant's claimed language.

For complete examination purposes, the Examiner will broadly address all of the above rejected claims in light of the overall concept of Applicant's invention.

Appropriate corrections are therefore required.

### **Claim Objections**

5. Claims 3-4 are objected to because of the following informalities: Claims 3-4 recites "the mobile communication". The Examiner recommends rewording of such claimed limitations to be read as "the mobile communication network". Appropriate correction is required.

### **Claim Rejections - 35 USC § 102**

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-29 and 32 rejected under 35 U.S.C. 102(b) as being anticipated by Billstrom (U.S 5,729,537) (hereinafter, Billstrom).**

**Regarding claim 1**, Billstrom discloses a method(= communication/ authentication between GSM mobile station 12 and network 14 via BTS, MSC and SGSN interfaces, see col. 9, line 39-col. 10, line 33 Figs. 1 and 4); for controlling installations and/or processes in which parts of an existing mobile communication network are used (= GSM mobile station 12 communicate/electronic payment with

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communication network 14, see col. 5, lines 59-65; and col. 10, lines 6-33; whereby the GSM network is being associated with the "mobile communication network"), comprising an exchange of information taking place between the information flows within the mobile communication network and a dedicated network (= GSM mobile station 12 communicate/electronic payment with communication network 14, see col. 5, lines 59-65; and col. 10, lines 6-33; whereby the network 14 that includes GGSN/SGSN, is being associated with the "dedicated network"), and information elements of the standardized signaling protocols of the mobile communication network (= mobile station 12 includes IP address, see col.6, lines 37-47; and the GGSN operates to translate data formats, signaling protocols and address information, see col. 7, lines 33-44), wherein the respective information elements are not relayed transparently at suitable interfaces in the mobile communication network, but instead are filtered out of the signaling by a message filter and are transferred by the message filter to the dedicated network (= GGSN operates to **translate** data formats, signaling protocols and address information, see col. 7, lines 33-44; col. 8, lines 6-36; col. 9, lines 58-65 and Figs. 1 and 4; whereby the **translation** of data formats, signaling protocols and address information; and **authentication/encryption process** in the system 14 is being associated with the "filtering out of signaling"/message filter"), wherein the information elements coming from the dedicated network are inserted into the signaling by the message filter (= GGSN operates to **translate** data formats, signaling protocols and address information, see col. 7, lines 33-44; and SGSN an GGSN context is established

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and maintained for mobile station 12, see col. 9, lines 39-65; and col. 10, lines 6-55).

**Regarding claim 2**, as recited in claim 1, Billstrom discloses the method, wherein the exchange of information takes place by inserting response signals in the form of information elements into the mobile communication signaling (= SGSN responds with abortion message to the cell...this cause the mobile station to receive the abort message, see col. 9, lines 19-27; and SRES, see col. 7, lines 17-32).

**Regarding claim 3**, as recited in claim 1, Billstrom discloses the method, wherein the content of at least one of said information elements is defined by a terminal involved in the mobile communication (= SGSN responds with abortion message to the cell...this cause the mobile station to receive the abort message, see col. 9, lines 19-27; and SRES, see col. 7, lines 17-32; and SGSN context includes subscriber data, see col. 10, lines 6-33).

**Regarding claim 4**, as recited in claim 2, Billstrom discloses the method, wherein the content of at least one of said information elements is defined by a terminal involved in the mobile communication (= SGSN responds with abortion message to the cell...this cause the mobile station to receive the abort message, see col. 9, lines 19-27; and SRES, see col. 7, lines 17-32; and SGSN context includes subscriber data, see col. 10, lines 6-33).

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**Regarding claim 5**, as recited in claim 1, Billstrom discloses the method, wherein an A interface of a GSM or UMTS mobile communication network is used as the interface (= link 74 between BSC and MSC 72, see col. 6, line 60-col. 7, line 8; col. 5, lines 59-65 and Fig. 1).

**Regarding claim 6**, as recited in claim 2, Billstrom discloses the method, wherein an A interface of a GSM or UMTS mobile communication network is used as the interface (= link 74 between BSC and MSC 72, see col. 6, line 60-col. 7, line 8; col. 5, lines 59-65 and Fig. 1).

**Regarding claim 7**, as recited in claim 3, Billstrom discloses the method, wherein wherein an A interface of a GSM or UMTS mobile communication network is used as the interface (= link 74 between BSC and MSC 72, see col. 6, line 60-col. 7, line 8; col. 5, lines 59-65 and Fig. 1).

**Regarding claim 8**, as recited in claim 1, Billstrom discloses the method, wherein a MAP interface of a GSM or UMTS mobile communication network is used as the interface (=link between MSC and VLR/HLR, see col. 6, line 60-col. 7, line 8; col. 5, lines 59-65 and Fig. 1).

**Regarding claim 9**, as recited in claim 2, Billstrom discloses the method, wherein a MAP interface of a GSM or UMTS mobile communication network is used as the



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interface (=link between MSC and VLR/HLR, see col. 6, line 60-col. 7, line 8; col. 5, lines 59-65 and Fig. 1).

**Regarding claim 10**, as recited in claim 3, Billstrom discloses the method, wherein a MAP interface of a GSM or UMTS mobile communication network is used as the interface. (=link between MSC and VLR/HLR, see col. 6, line 60-col. 7, line 8; col. 5, lines 59-65 and Fig. 1).

**Regarding claim 11**, as recited in claim 4, Billstrom discloses the method, wherein a MAP interface of a GSM or UMTS mobile communication network is used as the interface (=link between MSC and VLR/HLR, see col. 6, line 60-col. 7, line 8; col. 5, lines 59-65 and Fig. 1).

**Regarding claim 12**, as recited in claim 1, Billstrom discloses the method, wherein the information exchanged includes at least a subscriber identification (= IMSI is provided for authentication process; and mobile station 12 identifies itself to communication network, see col. 2, lines 38-52; and col. 8, lines 36-54).

**Regarding claim 13**, as recited in claim 2, Billstrom discloses the method, wherein the information exchanged includes at least a subscriber identification (= IMSI is provided for authentication process; and mobile station 12 identifies itself to communication network, see col. 2, lines 38-52; and col. 8, lines 36-54).

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**Regarding claim 14**, as recited in claim 3, Billstrom discloses the method, wherein the information exchanged includes at least a subscriber identification (= IMSI is provided for authentication process; and mobile station 12 identifies itself to communication network, see col. 2, lines 38-52; and col. 8, lines 36-54).

**Regarding claim 15**, as recited in claim 4, Billstrom discloses the method, wherein the information exchanged includes at least a subscriber identification (= IMSI is provided for authentication process; and mobile station 12 identifies itself to communication network, see col. 2, lines 38-52; and col. 8, lines 36-54).

**Regarding claim 16**, as recited in claim 5, Billstrom discloses the method, wherein the information exchanged includes at least a subscriber identification (= IMSI is provided for authentication process; and mobile station 12 identifies itself to communication network, see col. 2, lines 38-52; and col. 8, lines 36-54).

**Regarding claim 17**, as recited in claim 1, Billstrom discloses the method, wherein the information exchanged includes at least a location identification (= IMSI is provided for authentication process; mobile station 12 identifies itself to communication network; and group identifier 44 includes destination address/IP 48, see col. 2, lines 38-52; and col. 8, lines 36-54).

**Regarding claim 18**, as recited in claim 2, Billstrom discloses the method, wherein the

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information exchanged includes at least a location identification (= IMSI is provided for authentication process; mobile station 12 identifies itself to communication network; and group identifier 44 includes destination address/IP 48, see col. 2, lines 38-52; and col. 8, lines 36-54).

**Regarding claim 19**, as recited in claim 3, Billstrom discloses the method, wherein the information exchanged includes at least a location identification (= IMSI is provided for authentication process; mobile station 12 identifies itself to communication network; and group identifier 44 includes destination address/IP 48, see col. 2, lines 38-52; and col. 8, lines 36-54).

**Regarding claim 20**, as recited in claim 4, Billstrom discloses the method, wherein the information exchanged includes at least a location identification (= IMSI is provided for authentication process; mobile station 12 identifies itself to communication network; and group identifier 44 includes destination address/IP 48, see col. 2, lines 38-52; and col. 8, lines 36-54).

**Regarding claim 21**, as recited in claim 5, Billstrom discloses the method, wherein the information exchanged includes at least a location identification (= IMSI is provided for authentication process; mobile station 12 identifies itself to communication network; and group identifier 44 includes destination address/IP 48, see col. 2, lines 38-52; and col. 8, lines 36-54).

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**Regarding claim 22**, as recited in claim 6, Billstrom discloses the method, wherein the information exchanged includes at least a location identification (= IMSI is provided for authentication process; mobile station 12 identifies itself to communication network; and group identifier 44 includes destination address/IP 48, see col. 2, lines 38-52; and col. 8, lines 36-54).

**Regarding claim 23**, as recited in claim 1, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. 7, lines 9-31 and Fig. 1).

**Regarding claim 24**, as recited in claim 2, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. 7, lines 9-31 and Fig. 1).

**Regarding claim 25**, as recited in claim 3, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. 7, lines 9-31 and Fig. 1).

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**Regarding claim 26**, as recited in claim 4, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. col. 7, lines 9-31 and Fig. 1).

**Regarding claim 27**, as recited in claim 5, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. col. 7, lines 9-31 and Fig. 1).

**Regarding claim 28**, as recited in claim 6, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. col. 7, lines 9-31 and Fig. 1).

**Regarding claim 29**, as recited in claim 7, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. col. 7, lines 9-31 and Fig. 1).

**Regarding claim 32**, Billstrom discloses a method comprising:

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filtering a first information element out of a mobile communication network at an interface in the mobile communication network using a message filter (= GGSN operates to **translate** data formats, signaling protocols and address information, see col. 7, lines 33-44; col. 8, lines 6-36; col. 9, lines 58-65 and Fig. 1; whereby the **translation** of data formats, signaling protocols and address information; and **authentication/encryption process** in the system 14 is being associated with the "filtering out of signaling"/message filter"), wherein information is exchanged between the mobile communication network and a dedicated network (= GSM mobile station 12 communicate/electronic payment with communication network 14, see col. 5, lines 59-65; and col. 10, lines 6-33; whereby the GSM network is being associated with the "mobile communication network" and communication network 14 is being associated with the "dedicated network"), and information elements of standardized signaling protocols of the mobile communication network (= mobile station 12 includes IP address, see col.6, lines 37-47; and the GGSN operates to translate data formats, signaling protocols and address information, see col. 7, lines 33-44), wherein the respective information elements are not relayed transparently at interfaces in the mobile communication network (= GGSN operates to **translate** data formats, signaling protocols and address information, see col. 7, lines 33-44; col. 8, lines 6-36; and col. 9, lines 58-65; whereby the **translation** of data formats, signaling protocols and address information; and **authentication/encryption process**, is being associated with the "filtering out of signaling"/message filter");

transferring the first filtered information element from the message filter to the dedicated network (= communication/authentication between GSM mobile station 12 and network 14 via BTS, MSC and SGSN interfaces, see col. 9, line 39-col. 10, line 33 Figs. 1 and 4);

receiving a second information element from the dedicated network; and inserting the received second information element from the dedicated network into the mobile communication network at the interface using the message filter (= communication/authentication between GSM mobile station 12 and network 14 via BTS, MSC and SGSN interfaces, see col. 9, line 39-col. 10, line 33 Figs. 1 and 4).

### **Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See also, the attached PTO-892.

a. Zeitman (US. 5,940,481) teaches parking management communication system has central interface with data base linked to user interfaces to pass information on parking spaces and billing.

b. Himmel et al., (US. 6,622,015) teaches a method and apparatus for using electronic documents within a smart phone.

c. Hannula et al., (US. 6,366,893) teaches a system, a method and an apparatus for performing an electric payment transaction in a telecommunication network.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwasi Karikari whose telephone number is 571-272-8566. The examiner can normally be reached on M-T (7am - 5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8566. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

<b>/Kwasi Karikari/ Patent Examiner (PSA): Art Unit 2617.</b>
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